

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 1999-401-T - ORDER NO. 1999-839
NOVEMBER 30, 1999

IN RE: The matter of the failure of certain holders of)
Certificates of Public Convenience and)
Necessity listed on the attached Appendix to)
file with the Commission evidence of)
Insurance.)

ORDER ✓ DWJ

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of Commission Order No. 1999-683 in the instant Docket, which required all motor carriers listed in the Appendix thereof to appear before the Commission on Thursday, November 18, 1999, at 12:00 noon to show cause why the Commission should not revoke and cancel their Certificates for violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law of South Carolina in respect of failure to file evidence of insurance.

The information upon which the Commission based Order No. 1999-683 was developed by the Transportation Department through a procedure involving periodic inspections of the Commission's files and records. From this data, the Commission Staff developed a list of motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law (Appendix of Order No. 1999-683).

The Transportation Department staff notified all of the carriers listed in the Appendix of Order No. 1999-683 that because of their failure to file evidence of liability

and/or cargo insurance, they were not in compliance “with the terms of the Motor Vehicle Carrier Law of South Carolina, and the Rules and Regulations issued thereunder.” Subsequently, on October 15, 1999, the Commission issued Order No. 1999-683 setting a Rule to Show Cause hearing for those motor carriers who had not responded to the prior notifications of noncompliance.

A public hearing regarding this matter was held on Thursday, November 18, 1999, at 12:00 noon. F. David Butler, General Counsel, represented the Commission Staff. None of the Respondents named in the Appendix of Order No. 1999-683 appeared at the hearing. L. George Parker, Jr., Manager of the Transportation Department of the Commission, testified for the Commission Staff.

With respect to all the Respondents listed in the Appendix attached hereto, the Commission is of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by all listed carriers should be revoked and cancelled for their continued willful violation of the Commission’s Rules and Regulations and/or the South Carolina Vehicle Carrier Law [S.C. Code Ann. Section 58-23-10 et. seq. (1976)].

The Commission also finds that the Rule to Show Cause should be dismissed as to the carriers who have complied with the Commission’s Rules and Regulations and/or the Motor Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

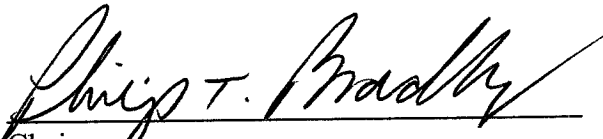
1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.

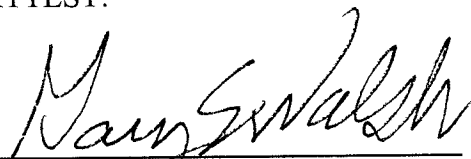
3. That this Rule be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

Docket No. 1999-401-T, Order No. 1999-839
RULE TO SHOW CAUSE - INSURANCE
Appendix

Brown Charter, Inc. P O Box 573 St. Stephen, SC 29479 Public Liability & Property Damage Insurance (Form E)	Charter Bus # 0082
Charleston Adventures Charters, Inc. P O Box 2047 Mt. Pleasant, SC 29465 Public Liability & Property Damage Insurance (Form E)	Charter Bus # 0008
Genetha M. Armstrong DBA The Charleston Connection Transportation Service 864 Cartwright Drive Charleston, SC 29414 Public Liability & Property Damage Insurance (Form E)	C - 6421 C Charter - 6422
Charleston Express, Inc. 3565 West Montague St. North Charleston, SC 29418 Public Liability & Property Damage Insurance (Form E)	Charter Bus 0060 C Charter - 6405-B
W. B. Daggett 905 Tumbleweed Drive Florence, SC 29506 Public Liability & Property Damage Insurance (Form E)	C - 6701
Elley Davenport 910 Carver St. Newberry, SC 29108 Public Liability & Property Damage Insurance (Form E)	C - 2952
Joe Pete Davis, Jr. 304 Foxworth St. Sumter, SC 29150 Public Liability & Property Damage Insurance (Form E)	C - 6560
Environmental Transportation Services, Inc. 1813 S.E. 25 th Street Oklahoma City, OK 73129 Public Liability & Property Damage Insurance (Form E)	F - 2390-A

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Lillie R. Green DBA
J-Jireh Taxi
1013 Prince St.
Georgetown, SC 29440
Public Liability & Property Damage Insurance (Form E) C - 6691-A

Willie Lee Lunn
127 Exchange St.
Darlington, SC 29532
Public Liability & Property Damage Insurance (Form E) C - 6131

Robert L. Mitchell
513 Wilson Road
Florence, SC 29501
Public Liability & Property Damage Insurance (Form E) C - 6795

Johnnie A. Gore, Jr. DBA
Northside Cab
101 Vining Street
Sumter, SC 29150
Public Liability & Property Damage Insurance (Form E) C - 6653

George C. Wheeler
P O Box 645
Mullins, SC 29574
Public Liability & Property Damage Insurance (Form E) C - 6706